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REMARKSPending Claims

Claims 1-20 were presented for examination and are pending.

Claims 1-14 were allowed in the Office action from March 9, 2005 and in Office Action November 1, 2005. Claims 15-20 were rejected.

The applicant respectfully traverses the rejection and requests reconsideration in the light of the following remarks.

Claim Rejection 35 USC 102

Claims 15-20 were rejected under 35 U.S.C. 102(e) as being anticipated by Issa et al. U.S. Patent 5,914,667.

The applicant respectfully traverses the rejection.

The applicant respectfully submits that the claims of this application claim fundamentally different invention from Issa.

Claim 15 recites:

15. (Previously Presented) A frequency hopping telemetry transmitter comprising:  
circuit for transmitting *transmissions* intermittently, at time intervals and *at various frequencies*, independently of any receiver of said transmissions, and  
*logic for providing a predetermined frequency-time pattern for controlling transmission frequency and time between transmissions*, and  
wherein said transmitter is for *varying encryption*, for said transmissions, *based, at least in part, on said frequency-time pattern*.  
(emphasis added)

In respect to claim 15, the Office cited passages: column 2, lines 50-65, column 5, lines 40-65, column, 9 lines 10-35, Fig. 3., and column 8, lines 50-67 as allegedly showing that the Issa invention is the same as claimed by claim 15.

*Nowhere* in the passages cited by the Office, nor anywhere else in the Issa patent, there is *any reference whatsoever* to frequency-time pattern for controlling transmission frequency and time between transmissions. Issa invention does NOT vary transmission frequency as demanded and emphasized in the first element of the claim. Issa invention does NOT use any frequency-time pattern for varying either transmission frequency or time between transmission or both as demanded and emphasized in the second

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element of the claim. Consequently, Issa does NOT vary encryption based on such pattern as demanded and emphasized in the third element of the claim. Thus, Issa lacks three out of three elements as recited in claim 15. Consequently, the applicant respectfully submits that Issa's invention is fundamentally and completely different from the present invention. The applicant respectfully submits that the Office is utterly confused. E.g. the Office confuses references to "hoping/changing bits" for varying (or "hopping") of scrambling of transmitted messages as used in the Issa's specification with "frequency-time patterns" for varying frequency and time of transmissions as used in the present invention.

Issa explains:

To overcome the shortcomings of the prior art security systems communications described above, the present device sends a scrambled code word from the remote-control transmitter to the alarm controller. The scrambled code word contains fixed bits and *hopping or changing bits* therein. [col. 2 lines 57-63]

(emphasis added)

The "hopping" as described and used in the Issa's invention has absolutely nothing to do with varying frequency and/or time of the transmission as described in the present invention and as claimed in claim 15.

That these two are in no way equivalent should be immediately obvious from the simple fact that the present invention does both: (1) frequency-time variations for transmissions, AND (2) varying bits for transmissions; whereas Issa can do only one, i.e. varying bits for transmission. Furthermore, the present invention combines the two in beneficial way as taught by the present disclosure.

Thus, it should be perfectly clear that Issa's invention is fundamentally different from the present invention as described in the specification and claimed by claim 15.

In section 2 of the Office Action from 11-1-05, there are two additional references cited: Bell, US Patent 5,852,409 and Minarik et al. US Patent 6,028,885, however the Office makes no explanation how these patents relate to the present invention.

In the light of the above argument, the applicant respectfully submits that the Office rejection of claim 15 is traversed and that claim 15 is allowable. Because claims 16 to 17 depend on claim 15, they are too allowable.

Claim 18 recites:

18. (previously presented) A frequency hopping telemetry transmitter comprising:  
circuit for transmitting *transmissions* intermittently, at time intervals and *at various frequencies*, independently of any receiver of said transmissions, and

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logic for providing a *predetermined frequency-time pattern* for controlling transmission frequency and time between transmissions, and

wherein said *transmitter is for modification of at least a portion of known data for transmission using a modifier that is varied based, at least in part, on said frequency-time pattern.*

*(emphasis added)*

In regards to claim 18, the Office states that the claim is rejected based on the arguments as provided in regards to claim 15. In addition, the Office cites passage column 4, lines 45 to column 5 line 10.

The applicant arguments presented in respect to claim 15 apply.

As argued in regards to claim 15, neither the cited passages nor any other part of Issa's disclosure provides any of the elements of claim 18 for the same reasons as described in the argument regarding claim 15.

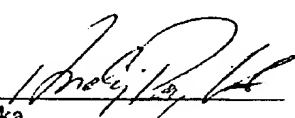
In the light of the above argument, the applicant respectfully submits that the Office rejection of claim 18 is traversed and that claim 18 is allowable. Because claims 19 to 20 depend on claim 18, they are too allowable.

**Request for Reconsideration Pursuant to 37 C.F.R. 1.111**

Having responded to each and every ground for objection and rejection in the Office action mailed November 1, 2005, applicant requests reconsideration of the application pursuant to 37 CFR 1.111 and request that the Examiner allow the pending claims 15-20 in addition to the already allowed and pending claims 1-14 and pass the application to issue.

Applicant respectfully submits that claims 1-20 are allowable and requests that the Examiner pass the application to issue.

Respectfully,

By   
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